

By: Lucio III

H.B. No. 714

A BILL TO BE ENTITLED

AN ACT

relating to a reemployment program available to certain veterans placed on community supervision for a misdemeanor offense.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 42A, Code of Criminal Procedure, is amended by adding Subchapter H-1 to read as follows:

SUBCHAPTER H-1. VETERANS REEMPLOYMENT PROGRAM

Art. 42A.381. VETERANS REEMPLOYMENT PROGRAM. In this subchapter, "veterans reemployment program" means a program that provides education and training to veterans with the goal that the veterans obtain workforce skills and become gainfully employed.

Art. 42A.382. ELIGIBILITY. (a) A defendant placed on community supervision, including deferred adjudication community supervision, for a misdemeanor offense is eligible to participate in a veterans reemployment program under this subchapter if the defendant is a veteran of the United States armed forces, including a member of the reserves, national guard, or state guard.

(b) The judge granting community supervision to a defendant described by Subsection (a) shall inform the defendant of the defendant's eligibility for participation in a veterans reemployment program but may not require the defendant to participate in the program.

(c) A judge may impose any condition of community supervision that the judge is authorized to impose under this

1 chapter on a defendant who chooses to participate in the program  
2 under this subchapter, except that the judge may not impose a  
3 condition related to the program or the defendant's participation  
4 in the program.

5 Art. 42A.383. EDUCATION AND TRAINING COURSES. (a) The  
6 program shall provide program participants with access to workforce  
7 development education and training courses developed or approved by  
8 the Texas Workforce Commission under Chapter 316, Labor Code.

9 (b) The education and training courses under this article  
10 must focus on providing a participant with useful workplace skills  
11 most likely to lead to gainful employment by the participant.

12 (c) The education and training courses may be  
13 individualized based on any physical or intellectual limitations of  
14 the participant.

15 Art. 42A.384. COMPLETION OF PROGRAM. A participant  
16 successfully completes the veterans reemployment program if the  
17 participant diligently attends and successfully completes the  
18 education and training courses under Article 42A.383 and:

19 (1) obtains employment and retains that employment for  
20 a continuous period of three months;

21 (2) diligently searches for employment for a  
22 continuous period of six months; or

23 (3) is determined by the court to be unemployable  
24 because of a disability.

25 Art. 42A.385. EXTENDED PERIOD ALLOWED FOR COMPLETION OF  
26 PROGRAM. A defendant is not required to successfully complete a  
27 program under this subchapter before the defendant completes the

1 applicable period of community supervision. The defendant may  
2 continue to participate in a program following the defendant's  
3 completion of that period.

4 Art. 42A.386. FAILURE TO COMPLETE PROGRAM. The judge may  
5 not revoke the community supervision of a defendant solely because  
6 the defendant fails to successfully complete a program under this  
7 subchapter.

8 SECTION 2. Subchapter E-1, Chapter 411, Government Code, is  
9 amended by adding Section 411.0729 to read as follows:

10 Sec. 411.0729. PROCEDURE FOR CERTAIN VETERANS PLACED ON  
11 COMMUNITY SUPERVISION. (a) On successful completion of the  
12 veterans reemployment program under Subchapter H-1, Chapter 42A,  
13 Code of Criminal Procedure, and all other conditions of the  
14 defendant's community supervision, including deferred adjudication  
15 community supervision, after notice to the state and a hearing on  
16 whether issuance of an order of nondisclosure is in the best  
17 interest of justice, the court shall enter an order of  
18 nondisclosure with respect to all records of the offense for which  
19 the defendant was placed on community supervision.

20 (b) Subsection (a) applies regardless of whether the  
21 defendant meets the other eligibility criteria under this  
22 subchapter.

23 SECTION 3. Subtitle B, Title 4, Labor Code, is amended by  
24 adding Chapter 316 to read as follows:

25 CHAPTER 316. VETERANS REEMPLOYMENT EDUCATION AND TRAINING COURSES

26 Sec. 316.001. EDUCATION AND TRAINING COURSES. (a) The  
27 commission shall develop or approve education and training courses

1 for the veterans reemployment program under Subchapter H-1, Chapter  
2 42A, Code of Criminal Procedure, to assist eligible veterans in  
3 obtaining workforce skills and becoming gainfully employed.

4 (b) The education and training courses must provide  
5 instruction in workforce skills appropriate for veterans with  
6 disabilities.

7 SECTION 4. Not later than January 1, 2020, the Texas  
8 Workforce Commission shall develop or approve education and  
9 training courses as required under Chapter 316, Labor Code, as  
10 added by this Act.

11 SECTION 5. Subchapter H-1, Chapter 42A, Code of Criminal  
12 Procedure, as added by this Act, applies only to a person placed on  
13 community supervision, including deferred adjudication community  
14 supervision, on or after January 1, 2020.

15 SECTION 6. This Act takes effect immediately if it receives  
16 a vote of two-thirds of all the members elected to each house, as  
17 provided by Section 39, Article III, Texas Constitution. If this  
18 Act does not receive the vote necessary for immediate effect, this  
19 Act takes effect September 1, 2019.